

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF WISCONSIN

JUELAIN MILLER, et al.,
Plaintiffs,

v.

Case No. 15-CV-00506

THEDACARE, INC.
Defendant.

DECLARATION OF CHRISTOPHER NICKELS

CHRISTOPHER NICKELS declares, pursuant to 28 U.S.C. § 1746, as follows:

1. I am an attorney licensed to practice in this Court and am one of the attorneys representing the Defendant, ThedaCare, Inc. (“ThedaCare”) in the above matter. I base this affidavit on my personal knowledge and my review of the file in this matter.
2. The parties in this lawsuit have engaged in significant discovery, having exchanged robust written discovery, ThedaCare has produced over 7,000 pages of information and both parties have taken depositions including depositions of all named Plaintiffs and of two of ThedaCare’s corporate representatives.
3. On October 29, 2015, counsel for ThedaCare took the deposition of named Plaintiff Juelaine Miller (“Miller”) in this matter. True and correct copies of Millers’s deposition testimony and exhibits are attached as Exhibit A.
4. On November 19, 2015, counsel for ThedaCare took the deposition of named Plaintiff Linda Auler (“Auler”) in this matter. True and correct copies of Auler’s deposition testimony and exhibits are attached as Exhibit B.

5. On November 19, 2015, counsel for ThedaCare took the deposition of named Plaintiff Kathleen Albers (“Albers”) in this matter. True and correct copies of Albers’ deposition testimony and exhibits are attached as Exhibit C.

6. On November 24, 2015, counsel for Plaintiffs took the deposition of named ThedaCare corporate representative Anna Wilcox (“Wilcox”) in this matter. True and correct copies of Wilcox’s deposition testimony and exhibits are attached as Exhibit D.

7. On November 24, 2015, counsel for Plaintiffs took the deposition of named ThedaCare corporate representative Karen Garvey (“Garvey”) in this matter. True and correct copies of Garvey’s deposition testimony and exhibits are attached as Exhibit E. Exhibit 9-12 marked at Garvey’s deposition are not appended to this declaration due to their large size.

8. Opt-in Plaintiff, Cindi Zenz (“Zenz”), worked at an internal medicine clinic in Appleton. Plaintiffs’ counsel has represented that she is not a proper member of the class but has taken no steps to withdraw her consent.

Under 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct.

Executed on March 14, 2016.

s/ Christopher Nickels
Christopher Nickels